WPSS 1636 of 03:
(Old No. 4939/1999)

Hon'ble M.M. Ghildiyal, J.

None is present for the petitioner. Sri N.P. Sah, learned Standing Counsel for State of Uttarakhand is present before the Court.

By means of this writ petition, the petitioners have prayed for the following reliefs:-

i. To issue a writ, order or direction in the nature of mandamus commanding the opposite parties to regularize the services of the petitioners from the dates they joined the U.P. Rajkiya Nirman Nigam Ltd. on the post of Taria Beldar (Muster Roll).

ii. To issue a writ, order or direction in the nature of mandamus commanding the opposite parties to pay the same salary to the petitioners as being paid to the regular employees in the cadre of the Corporation,

iii. To issue any other appropriate writ, order or direction as this Hon'ble Court may deem fit, just and proper in view of the nature and circumstances of the case in favour of the petitioners and against the opposite parties in the interest of justice.

iv. To award the cost of writ petition after allowing the same in favour of the petitioners and against the opposite parties.

This Court cannot issue directions for regularization of the services of the petitioners in view of the decision of Hon'ble the Apex Court in the case of Secretary State of Karnataka vs. Uma Devi reported in 2006 SCC (4) page-1. The petition lacks merit and is liable to be dismissed.

Accordingly, the writ petition is dismissed. No order as to costs.

(M.M.G., J.)

28.03.2007:
NCM: